

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD JUNE 17, 1997 AT 1:00 P.M. IN WARRENTON, VIRGINIA

P R E S E N T Mr. David C. Mangum, Chairman; Mr. James G. Brumfield, Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

STATUS REPORT ON BOYS AND GIRLS CLUB - BUDDY CURTIS

Buddy Curtis, representing the Boys and Girls Club of Fauquier County, gave a status report on the proposed Boys and Girls Club in Fauquier County.

EROSION AND SEDIMENT CONTROL UPDATE - JOHN MARSHALL SOIL AND WATER CONSERVATION DISTRICT

Members and staff of the John Marshall Soil and Water Conservation District gave an update on erosion and sediment control.

WATER AND SEWER MASTER PLAN

The Board of Supervisors reviewed the Water and Sewer Master Plan.

CATLETT/CALVERTON ALTERNATIVE WASTEWATER SYSTEM

The Department of Community Development gave an update on the progress and status of the study to investigate the feasibility of utilizing a non-discharge wastewater treatment and disposal system to serve the Catlett and Calverton Service Districts.

VIRGINIA DEPARTMENT OF TRANSPORTATION - BOB MOORE AND CHARLIE RASNIK

Bob Moore, Virginia Department of Transportation Resident Engineer, introduced Charlie Rasnik, State Secondary Road Engineer.

ADULT DETENTION CENTER ALTERNATIVES COMMITTEE REPORT

The Detention Center Study Committee presented its plan of action regarding recommendations for the detention center.

REPORT OF THE JOINT FACILITIES COMMITTEE

The Joint Facilities Committee presented its recommendations regarding the proposed referendum for renovations to Central Elementary School and Warrenton, Cedar Lee and Marshall Middle Schools.

The meeting was reconvened in regular session at 6:30 p.m. in the Warren Green Meeting Room.

ADOPTION OF THE AGENDA

Mr. Weeks moved to suspend Section 5-1 and 5-2 of the Board of Supervisors By-Laws and Rules of Procedure to amend the agenda to add A Resolution to Endorse the Recommendations of the Detention Center Study Committee. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

Mr. Green moved to add to the agenda Extension of the Special Exception for Marshall Shopping Center. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

Mr. Brumfield moved to adopt the agenda as amended. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

CONSENT AGENDA

Mr. Brumfield moved to adopt the following Consent Agenda items. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

Approval of the Minutes of the June 3, 1997 Regular Meeting

A Proclamation Designating the Month of July as Parks and Recreation Month

PROCLAMATION

A PROCLAMATION DESIGNATING JULY AS
PARKS AND RECREATION MONTH

WHEREAS, physical recreation and meaningful leisure experiences contribute to physical and mental well-being as well as the overall quality of life; and

WHEREAS, community recreation and leisure opportunities create socially beneficial connections between and among individuals, groups, and communities; and

WHEREAS, Parks and Recreation services provide preventive health benefits, support more productive workforces, enhance the desirability of locations for business and families, and stimulate tourism revenues to increase a total community economic development model; and

WHEREAS, July has been designated as Parks and Recreation Month by the National Recreation and Park Association and the Fauquier County Parks and Recreation Board; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 17th day of June 1997, That July be designated Parks and Recreation Month; and, be it

PROCLAIMED FURTHER That this beautiful county join in this nationwide celebration bringing recognition to all the benefits derived from quality public and private recreation and park resources at the local level.

A Resolution in Support of the Partners in Prevention Initiative

RESOLUTION

A RESOLUTION IN SUPPORT OF THE
PARTNERS IN PREVENTION INITIATIVE

WHEREAS, the federal government has allocated \$100 million dollars in each of federal fiscal years 1999 through 2002 to be divided among the five states that have most reduced out-of-wedlock births in the previous two years without an increase in the abortion rate; and

WHEREAS, the Commonwealth of Virginia has become the first state in the nation to announce its candidacy for one of these federal awards by supplying incentives to local governments, service agencies, religious institutions, nonprofit organizations and citizens to develop local solutions to the out-of-wedlock birth problem; and

WHEREAS, the Commonwealth of Virginia will provide technical and other forms of startup assistance to any Virginia locality that officially partners with the state in competition for the federal award, and the state proposes to distribute any federal award Virginia receives directly to its Partners in Prevention; and

WHEREAS, a locality becomes a Partner in Prevention by adopting a formal resolution of participation in the initiative and by submitting a plan, reflecting whole community input, to reduce out-of-wedlock births locally; and

WHEREAS, the County of Fauquier wishes to join other localities in the Commonwealth in this important community objective; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 1997, That the County of Fauquier be, and is hereby, authorized to become a Partner in Prevention with the Commonwealth of Virginia.

Proposed Bond Financing for Wakefield School, Inc. - Industrial Development Authority

RESOLUTION

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FAUQUIER, VIRGINIA

WHEREAS, the Industrial Development Authority of the County of Fauquier, Virginia ("Authority") has considered the application and plan of financing of Wakefield School, Inc. ("School"), an organization which is not organized exclusively for religious purposes, which is described in Section 501(c) (3) of the Internal Revenue Code of 1986, as amended, and whose address is 4439 Old Tavern Road, The Plains, Virginia, requesting that the Authority issue up to \$7,500,000 of its revenue bonds at one time or from time to time to assist the School in the acquisition, construction, equipping, expansion and enlargement of the facilities of the School, including: (1) the acquisition, construction and equipping of the School, a private, accredited and nonprofit educational facility consisting of approximately 35,000 square feet of academic buildings and a gymnasium, which provides elementary and secondary education to students (and does not provide religious training or theological education), located at 4439 Old Tavern Road, The Plains, Virginia 20198, in the County of Fauquier, including without limitation the refinancing of certain related indebtedness of the School; and (2) the construction and equipping of an additional academic building, consisting of approximately 15,000 square feet, to be located at the School at 4439 Old Tavern Road, The Plains, Virginia 20198, to be used by the School in the provision of elementary and secondary education; all pursuant to the School's plan of financing; and

WHEREAS, the Authority has held a public hearing on the School's application and plan of financing on June 2, 1997; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds; and

WHEREAS, the Authority issues its bonds on behalf of the County of Fauquier, Virginia ("County"), the facility to be financed is to be located in the County and the Board of Supervisors of the County of Fauquier, Virginia ("Board") constitutes the highest elected governmental unit of the County; and

WHEREAS, the Authority has recommended that the Board approve the plan of financing and the issuance of the Bonds; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds pursuant to the School's plan of financing, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Board;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FAUQUIER, VIRGINIA THIS 17TH DAY OF JUNE 1997:

1. The Board approves the plan of financing and the issuance of the Bonds by the Authority for the benefit of the School, as required by Section 147(f) of the Code and Section 15.1-1378.1 of the Code of Virginia of 1950, as amended, ("Virginia Code") to permit the Authority to assist the School in its plan of financing.

2. The approval of the plan of financing and the issuance of the Bonds do not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the plan of financing or the School.

3. Pursuant to the limitations contained in Temporary Income Tax Regulations Section 5f.103-2(f), this resolution shall remain in effect for a period of three years from the date of its adoption.

4. This resolution shall take effect immediately upon its adoption.

Adopted by the Board of Supervisors of the County of Fauquier, Virginia, this 17th day of June 1997.

A Resolution to Accept and Authorize Execution of the 1996 Fire Programs and Fund Disbursement Agreement

RESOLUTION

A RESOLUTION TO ACCEPT AND AUTHORIZE EXECUTION
OF 1996 FIRE PROGRAMS AND FUND DISBURSEMENT AGREEMENT

BE IT RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 1997, That the 1996 Fire Programs Fund Disbursement Agreement issued by the Virginia Department of Fire Programs, governing Fauquier County's distribution from the 1996 Fire Programs Fund be, and is hereby, accepted; and, be it

RESOLVED FURTHER That the County Administrator be, and is hereby, authorized to sign on behalf of the County the said 1996 Fire Programs Fund Disbursement Agreement.

Renaissance Woods Preliminary Subdivision

No action was taken.

Springer Subdivision Preliminary Plat

No action was taken.

Springview Subdivision Preliminary Plat

No action was taken.

1998 VACo LEGISLATIVE AGENDA

Mr. Brumfield moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO DECLARE THE BOARD OF SUPERVISORS
LEGISLATIVE PROPOSALS FOR THE 1998 GENERAL ASSEMBLY

WHEREAS, the County of Fauquier has a variety of issues and interests which require legislative action by the Virginia General Assembly; and
WHEREAS, the Virginia Association of Counties (VACo) has requested submission of such legislative proposals for consideration in the 1998 VACo Legislative Program; and
WHEREAS, the County's interests can be proposed with united support of other localities if contained in the VACo Legislative Program; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 1997, That the following items be, and they are hereby, directed as the County's legislative issues for consideration by the 1998 General Assembly.

TAX ISSUES:

Cost of Competing - Fauquier County respectfully requests that State legislators representing Fauquier County introduce legislation to incorporate Fauquier County into the Cost of Competing School Funding Formula. All political subdivisions having public school systems located in Planning District 8, the Northern Virginia Planning District Commission, receive Cost of Competing funds specifically ear-marked for teacher compensation. Several years ago, the General Assembly authorized Fauquier County's membership in Planning District 8. For Fauquier County to recruit and retain highly qualified public school division teachers, Fauquier County must be able to compensate teachers comparable to our Northern Virginia neighbors.

Northern Virginia Differential for State Employees - The Commonwealth of Virginia pays state employees working in Northern Virginia, defined as the Northern Virginia Planning District Commission, a supplement on the base state compensation. This supplement is often referred to as the

Northern Virginia Differential. Health Department, Cooperative Extension and State Police employees working in the adjacent communities of Prince William and Loudoun Counties receive the Northern Virginia Differential. Unless and until the Northern Virginia Differential is extended to Fauquier County, our community will remain at risk of losing highly qualified state employees to our neighboring jurisdictions.

School Funding - Fauquier County supports legislation that establishes a floor for state funding of school budgets. To avoid unintentionally "enriching the already rich", the floor would apply to statewide average per-capita, per-student or base-line year levels of expenditures for education. This proposal does not alter or modify the existing composite index, but rather targets jurisdictions like Fauquier County that experience unusual reductions in state aid to education due to unusual demographic phenomenon.

As an alternative, Fauquier County requests support and assistance in working with the appropriate state officials in examining the mechanics of the composite index with the goal of altering same to more equitably reflect Fauquier's true "ability to pay".

Delay of Imposition of New Standards of Accreditation - The Virginia Board of Education has promulgated administrative changes to the adopted Standards of Accreditation for public school divisions. These changes were promulgated after most communities in the Commonwealth had fixed school division budgets for FY 1998. Fauquier County respectfully requests that the State Legislators representing Fauquier County work with the local School Board and Board of Supervisors to delay implementation of the administrative regulations pending a fiscal impact analysis.

Integration of Use-Value Taxation into the Composite Index Calculation - Fauquier County supports the amendment of the composite index formula to consider the fiscal impact of use-value taxation. The composite index should use the value that real property is taxed on rather than the fair market value. The proposal may also benefit urban communities that freeze assessed values for taxation purposes as an inducement for property owners in designated zones to rehabilitate their properties.

Land Use Value Assessments - Fauquier County supports legislation that would authorize local governments in the Commonwealth of Virginia to determine minimum acreage requirements exceeding state minimum regulation for Land Use Value Assessments for Agricultural, Horticultural, or Forestal Real Estate.

LAND USE PLANNING ISSUES:

Conditional Zoning - Fauquier County respectfully requests that the General Assembly delegation representing Fauquier County introduce in both the Senate and the House the language of 1997 House Bill No. 2657 relating to conditional zoning. The Northern Virginia communities enjoy a much more flexible and productive form of conditional zoning authorization than Fauquier County presently has. House Bill No. 2657

introduced by Delegate Katzen, co-sponsored by Senators Miller and Potts, was not favorably reported out of the 1997 Committee on Counties, Cities and Towns. It is requested that in 1998, there be a companion bill on the Senate side to increase the opportunity for this legislation to reach the full General Assembly.

Comprehensive Plans - Fauquier County supports legislation that would require state agencies to give consideration to local comprehensive plans.

Local Authority Issuance of Permits - Fauquier County opposes reintroduction of 1996 General Assembly House Bill 1518 which would limit local authority issuance of special exceptions and special use permits.

Developer Reimbursements - Fauquier County supports legislation that would allow localities to require subsequent developers to reimburse initial developers on a pro rata basis, for off-site improvements provided by initial developers.

Takings - Fauquier County opposes any change in the existing eminent domain laws of the Commonwealth of Virginia or legislative expansion of the now existing property rights for which landowners must be compensated when such rights are affected by ordinance, regulation, legislation or other action taken by any county, city or town within this Commonwealth.

Vested Property Rights - Fauquier County opposes any legislation expanding the vested property rights of owners of land in the areas of zoning, subdivision and site plans beyond the law of vested rights existing within the Commonwealth of Virginia on July 1, 1993.

Manufactured Housing - Fauquier County opposes any further dilution of the zoning and land use regulatory authority of local governments as it pertains to manufactured housing.

Shared Land Use Data - Fauquier County supports efforts of the General Assembly to promote shared land use data and Geographic Information System (GIS) technology among state agencies, PDC's and localities.

Cost of Growth - Fauquier County supports the Virginia Association of Counties Region 7 initiative to develop equitable programs to address the pernicious problem of accelerated government costs associated with significant population growth.

SOLID WASTE/RECYCLING ISSUES:

Markets for Recyclables - Fauquier County requests the state to take an active role in developing markets for recyclables.

Deposit on Beverage Containers - Fauquier County supports legislation that would establish a deposit on beverage containers.

Non-biodegradable Containers - Fauquier County supports legislation to prohibit the use of non-biodegradable containers whenever safe, degradable alternatives are viable.

LOCAL GOVERNMENT ENABLING & SELF DETERMINATION ISSUES:

Courthouse Relocation - A Virginia Attorney General's opinion suggests that a referendum is required for any relocation of the Circuit Courthouse. Fauquier County requests legislation that would permit relocation of the Courthouse, without referendum, within one mile of the existing Courthouse location.

Increased Local Authority - Fauquier County supports legislation to provide for increased local authority in planning, zoning and revenue matters through a statutory relaxation of the Dillon Rule. The relaxation of the Dillon Rule should not, however, be accompanied by a shift of responsibility for various programs from the state government to local government.

Funding of State Mandated Laws - Fauquier County supports legislation to mandate state funding of state laws requiring local appropriations. Further, Fauquier County requests that the General Assembly place a sunset or reexamination requirement for all legislation adversely impacting local government. Periodic examination of legislation pertaining to mandates and state imposed requirements on local governments is essential to assure that state government officials understand the implications of state mandates on local governments. Sometimes well intended laws do not function as intended and in other cases laws that no longer serve any useful state purpose but impose local burdens stay on the books because there are no requirements for periodic evaluation.

PUBLIC SAFETY ISSUES:

Alternatives to Incarceration for Non-Violent Offenders - Fauquier County exhorts the Commonwealth of Virginia to investigate safe, cost-effective alternatives to incarceration for non-violent offenders in order to reduce state and local jail overcrowding.

Block Grant Funding for Correctional Facilities - Fauquier County supports legislation which requires money appropriated for payment of operational costs for local correctional facilities to be paid in a single block grant to the localities on the first day of the fiscal year for which the appropriations or apportionments are made.

State Pays for Housing State Prisoners - Fauquier County supports increase in what state pays for housing state prisoners in local jails based on state analysis of actual costs incurred by local governments.

PROPOSED REFERENDUM ON ISSUANCE OF \$12,000,000 IN SCHOOL BONDS FOR RENOVATIONS AND EXPANSION TO CENTRAL ELEMENTARY SCHOOL AND MIDDLE SCHOOLS

Mr. Weeks moved to postpone indefinitely a resolution regarding the proposed referendum on issuance of \$12,000,000 in school bonds for renovation and expansion to Central Elementary and middle schools. Mr. Brumfield

seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

COMPREHENSIVE PLAN AMENDMENTS - D.C. DIAMOND CORPORATION

A public hearing was held at the May 20, 1997 meeting to consider amending the Comprehensive Plan for D.C. Diamond Corporation to include two parcels totaling 85 acres in the Bealeton Service District and be designated for low density residential uses. Mr. Mangum moved to adopt the following resolutions. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO DENY COMPREHENSIVE PLAN AMENDMENT
TO ADD LAND TO THE BEALETON SERVICE DISTRICT MAP,
CPA #97-L-09, D.C. DIAMOND CORPORATION PROPERTY

WHEREAS, the D.C. Diamond Corporation has filed an application to amend the Comprehensive Plan map for the Bealeton Service District by adding 20 acres of land with a designation of low density residential; and

WHEREAS, there is sufficient land available for development in the Bealeton Service District to meet the current County growth needs; and

WHEREAS, the applicant has failed to provide compelling justification for adding additional land to the Bealeton Service District; and

WHEREAS, this 20 acres is not adjacent to land located in the Bealeton Service District and approval of this request would therefore introduce an isolated service district designation; and

WHEREAS, the Fauquier County Planning Commission held a public hearing regarding this comprehensive plan amendment and unanimously voted to recommend denial; and

WHEREAS, the Board of Supervisors on May 20, 1997, held a public hearing on this comprehensive plan amendment; and

WHEREAS, the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good planning practice would not be satisfied by this amendment to the Fauquier County Comprehensive Plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of

June 1997, That the Comprehensive Plan Amendment #97-L-09 to change the land use designation for 20 acres on Catlett Road (Route 28) at its intersection with James Madison Highway (Routes 15/29) and further identified as a portion of parcel identification number 6888-39-2530-000 from rural agricultural to low density residential be, and is hereby, denied.

RESOLUTION

A RESOLUTION TO DENY COMPREHENSIVE PLAN AMENDMENT
TO ADD LAND TO THE BEALETON SERVICE DISTRICT MAP,
CPA #97-L-06, D.C. DIAMOND CORPORATION PROPERTY

WHEREAS, the D.C. Diamond Corporation has filed an application to amend the Comprehensive Plan map for the Bealeton Service District by adding 65 acres of land with a designation of low density residential; and

WHEREAS, there is sufficient land available for development in the Bealeton Service District to meet the current County growth needs; and

WHEREAS, the applicant has failed to provide compelling justification for adding additional land to the Bealeton Service District; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on February 27, 1997, regarding this comprehensive plan amendment and unanimously voted on April 24, 1997, to recommend denial of this request; and

WHEREAS, the Board of Supervisors on May 20, 1997, held a public hearing on this comprehensive plan amendment; and

WHEREAS, the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good planning practice would not be satisfied by this amendment to the Fauquier County Comprehensive Plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 1997, That the Comprehensive Plan Amendment #97-L-06 to change the land use designation for 65 acres on Catlett Road (Route 28) near its intersection with James Madison Highway (Routes 15/29) and further identified as a portion of parcel identification number 6889-31-7311-000 from rural agricultural to low density residential be, and is hereby, denied.

WATER AND SEWER MASTER PLAN

Mr. Weeks moved to table until the July 15, 1997 meeting a resolution to adopt the Water and Sewer Master Plan. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

A RESOLUTION TO ENDORSE THE RECOMMENDATIONS OF THE
DETENTION CENTER STUDY COMMITTEE

Mr. Weeks moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO ENDORSE THE RECOMMENDATIONS OF THE DETENTION CENTER STUDY COMMITTEE

WHEREAS, on January 14, 1997, the Warrenton Town Council upheld the unanimous decision of the Warrenton Architectural Review Board to deny the County a Certificate of Historical Appropriateness for the construction of a 160 bed adult detention center adjacent to the County's current detention center at the corner of Lee and Keith Streets; and

WHEREAS, the Board of Supervisors, in response to the actions of the Town Council, established a Board of Supervisors Detention Center Study Committee comprised of two members of the Board of Supervisors and several advisory members including two members of the Town Council, a representative of the Fauquier County Planning Commission, the Sheriff, the former Warrenton Chief of Police, a representative of the CIP Committee, County staff and a part-time project officer; and

WHEREAS, the Detention Center Study committee reviewed several detention alternatives including the prospects of joining an existing regional jail authority, relocating the proposed local jail outside of the Warrenton area, the possibility and feasibility of building a smaller facility within the Town's Historic District and the utility of combining any or all of the above options; and

WHEREAS, the Detention Center Study Committee, after careful consideration of all of the known alternatives has determined that there are no State funds available to assist with the construction of a regional or local jail until at least FY 2000; and

WHEREAS, the Detention Center Study Committee has received information from the Virginia Department of Corrections and the Virginia Department of Criminal Justice Services that suggests that the County's current detention facility, if properly maintained and capped at its rated capacity, will have at least ten years of additional useful life; and

WHEREAS, the Detention Center Study Committee has determined that the County has two courses of action; Course #1 - maintain a local detention center at the rated capacity and contract with a regional facility for the use of up to 50 beds or Course #2 - maintain a local detention center at the rated capacity and purchase up to 50 beds within an existing regional facility or within a regional facility that has been approved for or is under construction; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 1997, That the Board of Supervisors does hereby approve the following Implementation Plan:

The Sheriff will continue to maintain the local detention facility which shall be capped at its rated capacity - 56 prisoners.

The local facility shall be staffed at a level not to exceed the number of positions approved by the State Compensation Board.

The Board of Supervisors shall consider additional request for capital expenditures for the existing detention center.

The County Administrator is hereby directed to simultaneously pursue a dual tracked investigation of both courses of action (rent or purchase) with regional facilities to solicit joint ventures. Priority shall be given to the regional facility at Winchester. Findings shall be reported to the Board of Supervisors Detention Center Alternatives Committee.

A sum of \$4 million is to be placed in dedicated reserve for the possible purchase of up to 50 beds in a regional facility.

The interest accrued from the \$4 million dedicated reserve shall be used to help offset the cost of housing prisoners at a regional facility, if required.

Any excess funding from the dedicated reserve of \$4 million remaining after final agreement is reached on the regional options shall revert to the General Fund Balance.

EXTENSION OF SPECIAL EXCEPTION FOR THE MARSHALL SHOPPING CENTER

Mr. Green moved to extend the Special Exception for the Marshall Shopping Center for six months. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

SPECIAL EXCEPTION - STERLING HOMES CORPORATION - LEE'S GLENN SUBDIVISION

A public hearing was held to consider a request for special exception approval for Sterling Homes Corporation, Lee's Glenn Subdivision, to allow that Confederate Boulevard be bonded for construction in phases. The site is located northeast of Remington and is bisected by Business Route 15/29 approximately one mile south of its intersection with Routes 655 and 657, PIN #6888-22-3625-000, Lee District. R.D. Robinson spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Mangum moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry

L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE THE REQUEST OF
STERLING HOMES CORPORATION TO AMEND
CONDITION #7 OF THE 1991 SPECIAL EXCEPTION
PERMIT ISSUED TO STERLING HOMES CORPORATION

WHEREAS, Sterling Homes Corporation received a special exception permit in 1991 from Fauquier County which included a number of conditions; and

WHEREAS, Condition #7 of this special exception permit stated that the applicant shall construct or bond for construction the on-site portion of the interparcel connector to Route 656 (Confederate Boulevard) at the time of recordation of the first lot in the section of Lee's Glen east of Business Route 15/29; and

WHEREAS, Sterling Homes Corporation is anticipating developing Section 2 of Lee's Glen Subdivision in the near future and this condition would place a financial hardship on the future development of the project; and

WHEREAS, the developer has agreed to bond or construct for all of Confederate Boulevard by the development of Phase 4 of Lee's Glen, now, therefore, be it resolved

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 1997, That Condition #7 of the 1991 special exception permit issued to Sterling Homes for the Lee's Glen Subdivision is hereby amended to state that the applicant shall dedicate the full right-of-way for Confederate Boulevard from Route 29 Business to the applicants property line at the time the first phase of the Lee's Glen Subdivision east of Business Route 29 is recorded, and the bonding and/or construction of the first section of Confederate Boulevard shall be built to the rear lot line of Lot 86 when Phase 2 of Lee's Glen is recorded. The remaining section of Confederate Boulevard shall be bonded and constructed during the final or fourth phase.

SPECIAL EXCEPTION - JESSE, JR. AND BEVERLY JONES - SPECTATOR
AND NON-SPECTATOR FIELD EVENTS

A public hearing was held to consider a request for special exception approval for Jesse, Jr. and Beverly Jones to allow family reunions, wedding receptions, and picnics at the property. The property is located on Catlett Road (Route 28), PIN #7900-02-6955-000, Cedar Run District. Jesse Jones spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry

L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION
REQUEST #SE97-CR-08
JONES RETREAT CENTER

WHEREAS, the applicants, Jesse Jr. and Beverly Jones, have filed an application for a special exception to allow family reunions, wedding receptions, and picnics at the subject property pursuant to Section 3-309.16 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Special Exception Application of Jesse Jr. and Beverly Jones has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Article 5-2600 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing May 29, 1997 on this special exception request and recommended approval; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 17th day of June 1997, That Special Exception #SE97-CR-08, Jesse Jr. and Beverly Jones Property Owners (PIN 7900-02-6955-000), be and is hereby, approved subject to the following findings and conditions:

That the Board of Supervisors find that the facts that the applicant does not have 50 acres and that one existing structure is less than 100 feet from a property line will not negatively impact any general or specific standard contained in Article 5 of the Zoning Ordinance for this use and will serve the purposes of promoting health, safety, and welfare to an equivalent degree.

1. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m.
2. All necessary Health Department permits shall be secured.
3. The number of guests shall be limited to 300.
4. A site plan shall be approved prior to holding any Class C events.
5. The driveway shall be a minimum of eighteen (18) feet in width.

SPECIAL EXCEPTION - BEALETON VILLAGE PARTNERSHIP - PAD SITE

A public hearing was held to consider a request for special exception approval for Bealeton Village Partnership to modify the minimum lot size for a C-3 zoning district which would allow an individual lot of less than eight (8) acres in size. The property is located on the east side of Route 17 near its intersection with Route 28, in the Bealeton Shopping Center, PIN #6899-26-7831-000, Lee District. Ben Jones, representing Bealeton Village Partnership, spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Mangum moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION
REQUEST #SE97-L-09
BEALETON SHOPPING CENTER

WHEREAS, the applicants, Bealeton Village Partnership, have filed an application for a special exception to modify the minimum lot size for a C-3 zoning district, which would allow an individual lot of 1.5841 acres size rather than minimum eight (8) acres, pursuant to Section 3-325 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Special Exception Application of Bealeton Village Partnership has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Article 5-2600 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing May 29, 1997 on this special exception request and recommended approval; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 17th day of June 1997, That Special Exception #SE97-L-09, Bealeton Village Partnership Property Owners (PIN 6899-26-7831-000), be and is hereby, approved subject to the following condition:

No additional entrances shall be permitted to the Shopping Center or the 1.5841 acre pad site.

SPECIAL EXCEPTION - WALTER CURTIS AND WILLIAM CURTIS AND
OTHERS, OWNERS - REDUCTION IN OPEN SPACE

A public hearing was held to consider a request for special exception approval for Walter Curtis and William Curtis and Others for a reduction in open space requirement in order to divide the property into five (5) parcels for the five heirs to the estate of Aubrey Scott Curtis. The property is located on the north and south sides of Sumerduck Road (Route 651) and the east and west side of Silver Hill Road (Route 615), PIN #7814-47-7501-000 and PIN #7814-57-6743-000, Lee District. Ray Curtis and Edna Mae Garrigan spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Mangum moved to table the decision until the July 15, 1997 meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

With no further business, the meeting was adjourned.